

**Senator Don L. Ipson** proposes the following substitute bill:

**PUBLIC SAFETY OFFICER SCHOLARSHIP PROGRAM**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Don L. Ipson**

House Sponsor: Jefferson S. Burton

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**LONG TITLE**

**General Description:**

This bill enacts a public safety officer scholarship program for high school students entering into a law enforcement career.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates a public safety officer scholarship program for high school graduates who:
  - enroll in a law enforcement agency cadet program;
  - seek a degree program in higher education; and
  - after Peace Officer Standards and Training (POST) certification, commit to a peace officer career of a certain minimum duration;
- ▶ establishes application and work requirement processes;
- ▶ allows for institutions of higher education to determine participation in the program;
- ▶ requires a scholarship recipient to report certification and employment statuses to the Utah Board of Higher Education (board);
- ▶ requires the POST Division to report employment status changes to the board;
- ▶ provides for repayment of scholarship funds in the case of a failure to meet program requirements;



- 26           ▶ grants the board rulemaking authority;
- 27           ▶ amends board requirements to create a pathway plan for high school students
- 28 interested in law enforcement; and
- 29           ▶ makes technical and conforming changes.

30 **Money Appropriated in this Bill:**

31           This bill appropriates in fiscal year 2024:

- 32           ▶ to Utah Board of Higher Education -- Student Assistance, as a one-time
- 33 appropriation:
- 34           • from Income Tax Fund, One-time \$5,000,000.

35 **Other Special Clauses:**

36           None

37 **Utah Code Sections Affected:**

38 AMENDS:

- 39           **53-6-209**, as last amended by Laws of Utah 2021, Chapter 311
- 40           **53B-8-112**, as last amended by Laws of Utah 2022, Chapters 370, 456
- 41           **53B-10-106**, as enacted by Laws of Utah 2022, Chapter 370

42 ENACTS:

- 43           **53B-8-112.5**, Utah Code Annotated 1953



45 *Be it enacted by the Legislature of the state of Utah:*

46           Section 1. Section **53-6-209** is amended to read:

47           **53-6-209. Termination of employment -- Change of status form.**

48           (1) When a peace officer's employment terminates, the employing agency shall submit  
49 a change of status form noting the termination of the peace officer to the division.

50           (2) The change of status form shall:

51           (a) be completed and submitted within 30 days [~~of the peace officer's termination date~~]  
52 after the day on which the peace officer's employment terminates;

53           (b) identify the circumstances of the peace officer's status change by indicating that the  
54 peace officer has resigned, retired, terminated, transferred, is deceased, or that the peace  
55 officer's name has changed;

56           (c) indicate the effective date of action; and

57 (d) indicate the name of the new employer, if the status change is due to a transfer.

58 (3) If a peace officer's employment terminates during an open internal investigation  
59 regarding that peace officer and involving an alleged violation of Subsection 53-6-211(1), the  
60 employing agency shall:

61 (a) notify the division of the investigation in accordance with Subsection 53-6-211(6)  
62 within 30 days [~~of the peace officer's termination date~~] after the day on which the peace  
63 officer's employment terminates and

64 (b) provide a reasonable estimated date of completion for the investigation.

65 (4) (a) If an employing agency receives credible allegations and opens an internal  
66 investigation within two years after [~~a peace officer's employment has been terminated~~] the day  
67 on which a peace officer's employment terminates, the employing agency shall:

68 (i) notify the division within 30 days [~~of the date of the opening of the~~] after the day on  
69 which the employing agency opens the investigation; and

70 (ii) provide a reasonable estimated date of completion for the investigation.

71 (b) If the allegations described in Subsection (4)(a) involve alleged violations of  
72 Subsection 53-6-211(1), the agency shall report the allegations to the division in accordance  
73 with Subsection 53-6-211(6), regardless of whether [~~or not~~] the employing agency opens an  
74 internal investigation.

75 (5) Any person or agency who intentionally falsifies, misrepresents, or fails to give  
76 notice of the change of status of a peace officer is liable to the division for any damages that  
77 [~~may be sustained by~~] the failure to make the notification[-:] causes. The division shall provide  
78 the change of status form described in this section to the Utah Board of Higher Education  
79 within 30 days after the day on which the division receives a notice of termination if the  
80 relevant peace officer has received a Public Safety Officer Scholarship as described in Section  
81 53B-8-112.5.

82 Section 2. Section 53B-8-112 is amended to read:

83 **53B-8-112. Public Safety Officer Career Advancement Grant Program.**

84 (1) [~~The~~] This section creates the Public Safety Officer Career Advancement Grant  
85 Program [~~is created~~].

86 (2) Subject to legislative appropriations and Subsection [~~(6)~~] (7), the board shall award  
87 a grant to an applicant who:

88 (a) is a certified peace officer, currently employed by a law enforcement agency within  
89 the state; and

90 (b) is seeking a post-secondary degree in the area of criminal justice from a  
91 ~~[credit-granting higher education institution]~~ degree-granting institution of higher education  
92 within the state system of higher education, described in Section [53B-1-102](#).

93 (3) (a) Subject to Subsection (3)(b), the board may award a qualified applicant up to  
94 the cost of tuition and fees.

95 (b) A grant award under Subsection (3)(a) is limited to:

- 96 (i) a maximum of \$5,000 each academic year; and
- 97 (ii) a maximum of four academic years.

98 (4) The board shall design the program to ~~[use a packaging approach that ensures]~~  
99 ensure that institutions combine loans, grants, employment, and family and individual  
100 contributions toward financing the cost of attendance.

101 (5) Notwithstanding Subsection (4), the board may not award a scholarship described  
102 in Section [53B-8-112.5](#) to an applicant receiving a grant under this section.

103 ~~[(5)]~~ (6) (a) The board shall make rules in accordance with Title 63G, Chapter 3, Utah  
104 Administrative Rulemaking Act, to:

- 105 (i) set deadlines for receiving grant applications and supporting documentation; and
- 106 (ii) establish the application process and an appeal process for the Public Safety Officer  
107 Career Advancement Grant Program.

108 (b) The board shall include a disclosure on all applications and related materials that  
109 the amount of the awarded grants may be subject to funding or be reduced, in accordance with  
110 Subsection ~~[(6):]~~ (7).

111 ~~[(6)]~~ (7) (a) Subject to future budget constraints, the Legislature shall make an annual  
112 appropriation from the Income Tax Fund to the board for the costs associated with the Public  
113 Safety Officer Career Advancement Grant Program authorized under this section.

114 (b) Notwithstanding the provisions of this section, if the appropriation under this  
115 section is insufficient to cover the costs associated with the Public Safety Officer Career  
116 Advancement Grant Program, the board may:

- 117 (i) reduce the amount of a grant; or
- 118 (ii) distribute grants on a pro rata basis to all eligible applicants who submitted a

119 complete application before the application deadline.

120 (8) Notwithstanding Subsection [53B-8-112.5](#)(5), the board may not award a grant  
121 under this section to an applicant receiving a scholarship under the Public Safety Officer  
122 Scholarship Program described in Section [53B-8-112.5](#).

123 Section 3. Section **53B-8-112.5** is enacted to read:

124 **53B-8-112.5. Public Safety Officer Scholarship Program.**

125 (1) As used in this section:

126 (a) "Peace officer" means the same as that term is defined in Section [53B-8c-102](#).

127 (b) "POST" means the Peace Officer Standards and Training Division created in  
128 Section [53-6-103](#).

129 (c) "Program" means the Public Safety Officer Scholarship Program that this section  
130 creates.

131 (2) This section creates the Public Safety Officer Scholarship Program.

132 (3) (a) Subject to legislative appropriations, the board shall award a scholarship to a  
133 qualified applicant who:

134 (i) is a high school graduate;

135 (ii) submits an application to the board with a copy of the student's high school  
136 diploma;

137 (iii) when eligible, enrolls in a basic training course at a state certified academy as  
138 defined in Section [53-6-202](#);

139 (iv) is enrolled in a qualifying post-secondary degree program from a degree-granting  
140 institution of higher education within the state system of higher education, described in Section  
141 [53B-1-102](#); and

142 (v) commits to working as a peace officer for no less than five years after the day on  
143 which POST certifies the scholarship recipient.

144 (b) For purposes of Subsection (3)(a)(iv), a degree-granting institution shall determine:

145 (i) the institution's participation in the program; and

146 (ii) the degrees the institution will grant, including criminal justice, police  
147 administration, criminology, social sciences, and other related disciplines.

148 (4) (a) The board shall determine the amount of a scholarship award, ensuring that the  
149 amount does not exceed the combined cost of tuition, fees, and required textbooks.

- 150 (b) A scholarship award described in Subsection (4)(a) is limited to:  
151 (i) POST training and certification in accordance with Title 53, Chapter 6, Peace  
152 Officer Standards and Training Act; and  
153 (ii) a maximum of four academic years in a post-secondary degree program.  
154 (5) The board shall design the scholarship program to ensure that participating  
155 institutions combine state or federal loans or grants, internships, student employment, and  
156 family and individual contributions toward financing the cost of attendance.  
157 (6) A scholarship recipient shall:  
158 (a) notify the board of the scholarship recipient's POST certification within 15 days  
159 after the day on which POST certifies the scholarship recipient;  
160 (b) submit verification of the scholarship recipient's employment to the board within 15  
161 days after the day on which the scholarship recipient is employed as a peace officer, including:  
162 (i) the employer's name, address, and telephone number;  
163 (ii) the date of the scholarship recipient's hiring; and  
164 (iii) the scholarship recipient's job title; and  
165 (c) notify the board within 15 days after the day on which the employer terminates the  
166 scholarship recipient.  
167 (7) A scholarship recipient shall repay to the board the full amount of the scholarship  
168 award that the scholarship recipient received under the program, including money paid for  
169 tuition, fees, and required textbooks, if the scholarship recipient fails to:  
170 (a) meet the requirements for POST certification as described in Title 53, Chapter 6,  
171 Part 2, Peace Officer Training and Certification Act;  
172 (b) work as a peace officer for less than five years after the day on which POST  
173 certifies the scholarship recipient; or  
174 (c) subject to Subsection (3), earn a degree within four contiguous academic years  
175 beginning on the day on which the scholarship recipient enrolls in a post-secondary degree  
176 program.  
177 (8) (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah  
178 Administrative Rulemaking Act, to:  
179 (i) set deadlines for receiving scholarship applications and supporting documentation;  
180 (ii) establish an application process and appeal process for the program;

181 (iii) establish policies and procedures for cancellation or repayment of scholarship  
182 awards if the scholarship recipient fails to meet the requirements under this section;

183 (iv) collaborate with POST and other law enforcement and correction agencies to  
184 provide high school students information on law enforcement careers; and

185 (v) notify POST when a student receives a scholarship under the program.

186 (b) The board shall include a disclosure on all applications and materials related to the  
187 program that the amount of the awarded scholarship may be subject to funding availability or  
188 reduction in accordance with Subsection (9).

189 (9) If an appropriation under this section is insufficient to cover the costs associated  
190 with the program, the board may:

191 (a) reduce the amount of a scholarship award; and

192 (b) distribute scholarship awards on a pro rata basis to all eligible applicants who  
193 submitted a complete application before the application deadline.

194 Section 4. Section **53B-10-106** is amended to read:

195 **53B-10-106. Pathways development.**

196 (1) The board shall develop and implement a plan that creates clear educational  
197 pathways:

198 (a) from a technical college described in Subsection **53B-1-102(1)(b)** to an institution;  
199 [~~and~~]

200 (b) in course work leading to a qualifying [~~degree~~] job or a qualifying [~~job~~] degree as  
201 described in Section **53B-10-203**[~~;~~]; and

202 (c) for high schools that offer criminal justice or protective services pathways  
203 programs, including information on:

204 (i) available concurrent enrollment classes in subjects described in Section  
205 **53B-8-112.5**; and

206 (ii) scholarship opportunities for careers as peace officers as defined in Section  
207 **53B-8c-102**.

208 (2) The plan shall maximize efficiencies in transferring [~~earned~~] earned credit and help  
209 align academic programs with workforce needs.

210 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
211 board may make rules necessary to establish a plan described in this section.

212 Section 5. **Appropriation.**

213 The following sums of money are appropriated for the fiscal year beginning July 1,  
214 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for  
215 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
216 Act, the Legislature appropriates the following sums of money from the funds or accounts  
217 indicated for the use and support of the government of the state of Utah.

218 ITEM 1

219 To Utah Board of Higher Education – Student Assistance

220 From Income Tax Fund, One-time 5,000,000

221 Schedule of Programs:

222 Public Safety Officer Scholarship Program 5,000,000

223 Under Section [63J-1-603](#), the Legislature intends that appropriations provided in this  
224 section not lapse at the end of fiscal year 2024. The use of any nonlapsing funds is limited to  
225 the Public Safety Officer Scholarship Program.